

**PATENT APPLICATION**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Masaki HAYASHI et al.

Group Art Unit: 2621

Application No.: 09/987,419

Examiner: A. Alavi

Filed: November 14, 2001

Docket No.: 111112

For: IMAGE-CAPTURING DEVICE

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In reply to the October 4, 2004 Restriction Requirement, Applicants provisionally elect Group II, claims 2-5, 10 and 17. The election is made with traverse.

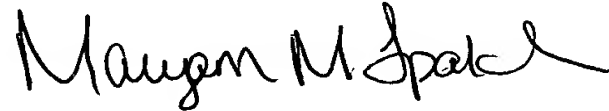
It is believed that claim 17 should also be included in the Group II claims as claim 17 is drawn to image compression.

It is also respectfully submitted that the subject matter of all pending claims is sufficiently related that a thorough search for the subject matter of any one Group of claims would encompass a search for the subject matter of the remaining claims. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present

application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Thus, withdrawal of the Restriction Requirement is respectfully requested.

Respectfully submitted,



Mario A. Costantino  
Registration No. 33,565

Maryam M. Ipakchi  
Registration No. 51,835

MAC:MMI/ccs

Date: October 29, 2004

**OLIFF & BERRIDGE, PLC**  
**P.O. Box 19928**  
**Alexandria, Virginia 22320**  
**Telephone: (703) 836-6400**

**DEPOSIT ACCOUNT USE  
AUTHORIZATION**

Please grant any extension  
necessary for entry;

Charge any fee due to our  
Deposit Account No. 15-0461